CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JOHN F. CORCORAN, CLERK BY: HM. OOV. CO.

SCOTT R. BOGLE, Plaintiff,	DEPUTY CLERK	
)	Civil Action No. 7:05-cv-00571
v.)	MEMORANDUM OPINION & FINAL ORDER
ROANOKE CITY JAIL, <u>et al</u> ., Defendants.)))	By: Jackson L. Kiser Senior United States District Judge

Plaintiff Scott R. Bogle, a Virginia inmate proceeding <u>prose</u>, brings this action pursuant to 42 U.S.C. §1983, with jurisdiction vested under 28 U.S.C. §1343. By order entered October 18, 2005 plaintiff was assessed a filing fee of \$250.00 pursuant to 28 U.S.C. §1915(b) and directed to execute the then enclosed consent to withholding of fees from plaintiff's inmate account. Plaintiff was advised that failure to comply with the court's order within the allotted twenty days would result in dismissal of the complaint without prejudice.

Inasmuch as more than twenty days have elapsed and plaintiff has failed to make any attempt comply with that order, it is hereby

ORDERED

that this case shall be and hereby is **DISMISSED** without prejudice and that this case be and hereby is **STRICKEN** from the active docket of this court.

The Clerk of the Court is directed to send a certified copy of this Order to plaintiff.

ENTER: This 215t day of November, 2005.

Senior United States District Judge